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1c604 U.S. PTO

08-10-01

Reissue

A/R

ATTORNEY DOCKET 75036DAN

REISSUE PATENT APPLICATION TRANSMITTAL

To: Assistant Commissioner for Patents
Box Patent Applications
Washington, D.C. 20231

Express Mail Label No. EL656967578US

Date:

August 9, 2001

HYBRID CAMERA SYSTEM WITH
ELECTRONIC ALBUM CONTROL

U.S. Patent 5,940,121
Granted August 17, 1999

First Named Inventor (or Application Identifier):

Dale F. McIntyre, et al

Enclosed are:

1. ☒ Reissue Application and Claims

5. Original U.S. Patent currently assigned?

☒ Yes

☐ No

(If Yes, check applicable box(es))

2. ☒ Drawing(s)

☒

Written Consent of all Assignees

☒

37 CFR §3.73(b) Statement

3. ☒ Reissue Oath/Declaration (original) (37 CFR §1.175)

4. Original U.S. Patent

☐ Offer to Surrender Original Patent (37 CFR §1.178)
OR

☐ Ribbonded Original Patent Grant

☒ Affidavit/Declaration of Inaccessibility

6. ☒ Request for Transfer of Drawings

7. ☒ Request for Abstract of Title Report

8. ☐ Information Disclosure Statement/PTO-1449

9. ☒ Letter Under Rule 53

10. ☒ Please address all written communications to Milton S. Sales, Patent Legal Staff,
Eastman Kodak Company, 343 State Street, Rochester, NY 14650-2201.
Please Direct all telephone calls to David A. Novais at (716) 588-2727

The filing fee has been calculated as shown below:

FOR:	NO. FILED	NO. EXTRA	RATE	FEE
BASIC FEE				\$ 710
TOTAL CLAIMS	18 - 20 =	18	x 18 =	\$ 0
INDEPENDENT CLAIMS	5 - 3 =	2	x 80 =	\$ 160
MULTIPLE DEPENDENT CLAIM PRESENTED			+ 270	\$0
			TOTAL	\$ 870

☒ Please charge my Eastman Kodak Company Deposit Account No. 05-0225 in the amount of \$ 0.

A duplicate copy of this sheet is enclosed

☒ The Assistant Commissioner is hereby authorized to charge any additional filing fees required under
37 CFR 1.16 or credit any overpayment to Eastman Kodak Company Deposit Account No. 05-0225.

A duplicate copy of this sheet is enclosed.

David A. Novais/l
Telephone: (716)588-2765
Facsimile: (716)477-1148

David Novais
Attorney for Applicants
Registration No. 33,324

REISSUE

Docket 75036DAN
Customer No. 01333

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Dale F. McIntyre, et al

HYBRID CAMERA SYSTEM
WITH ELECTRONIC ALBUM
CONTROL

Reissue Application No.

Filed Herewith

Reissue for U.S. Patent 5,940,121
Issued 17 August 1999

Group Art Unit:

Examiner:

Express Mail Label No. EL656967578US

August 9, 2001
Date

Honorable Assistant Commissioner for Patents
Box Patent Applications
Washington, D.C. 20231

Sir:

STATEMENT AND CONSENT OF ASSIGNEE IN SUPPORT OF REISSUE

The Eastman Kodak Company, hereinafter designated the Assignee, a corporation of the State of New Jersey, having a principal place of business at 343 State Street, Rochester, New York 14650, states that it is the assignee of the entire interest in Letters Patent 5,940,121, issued August 17, 1999, to the inventors Dale F. McIntyre and Dana W. Wolcott.

The Assignee consents to the accompanying application and hereby offers to surrender said Letters Patent. Assignee prays that said Letters Patent be reissued to the Assignee in the form indicated in the annexed amended specification. According to Assignee procedures, said Letters Patent was destroyed after all necessary computer entries were made and is therefore inaccessible.

The Assignee hereby appoints the attorney(s) and/or agent(s) associated with Eastman Kodak Company Customer No. 01333 with full power of substitution and revocation to prosecute this application, to make alterations and amendments therein, to receive the Letters Patent in its original and reissue forms, and to transact all business

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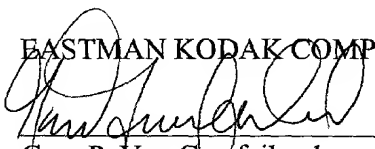
in the United States Patent and Trademark Office connected therewith, the said power to be exercised either separately or collectively by said attorneys as they shall from time to time elect. Please address all written communications to Milton S. Sales, Eastman Kodak Company, Patent Legal Staff, Rochester, New York 14650-2201 and direct all telephone calls to David A. Novais at 716-588-2727.

The undersigned declares further that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and the such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

EASTMAN KODAK COMPANY

By:


Gary P. Van Graafeiland
Senior Vice President
and General Counsel

Date: 7-25-01

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REISSUE

Docket 75036DAN
Customer No. 01333



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Group Art Unit:

Dale F. McIntyre, et al

Examiner:

HYBRID CAMERA SYSTEM
WITH ELECTRONIC ALBUM
CONTROL

Express Mail Label No. EL656967578US

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Reissue Application No.

Filed Herewith

Reissue for U.S. Patent 5,940,121
Issued 17 August 1999

Honorable Assistant Commissioner for Patents
Box Patent Applications
Washington, D.C. 20231

Sir:


REQUEST FOR ABSTRACT OF TITLE IN ACCORDANCE
WITH 37 CFR 1.171

Please prepare a certificate Abstract of Title for the above-identified original patent for placement in the official file of the reissue application which is filed herewith.

Title in the name of Eastman Kodak Company was recorded on May 27, 1997, at Reel 8542/Frame 613-614.

For the fee required by 37 CFR §1.19(b)(6), the Commissioner is hereby authorized to charge Deposit Account No. 05-0225 for any fee which may be required or credit of overpayment. *A duplicate of this request is attached.*

Respectfully submitted,


Attorney for Applicants
Registration No. 33,324

David A. Novais/lid
Telephone: (716) 588-2727
Facsimile: (716) 477-1148

REISSUE

Docket 75036DAN
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

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August 9, 2001

Honorable Assistant Commissioner for Patents
Box Patent Applications
Washington, D.C. 20231

Sir:

**37 CFR § 1.175 STATEMENT OF INOPERATIVENESS
OF ORIGINAL PATENT (INVENTOR)**

Applicants, Dale F. McIntyre and Dana W. Walcott declare that:

We have reviewed and understand the contents of the
specification, including the claims, of the attached reissue application.

We believe ourselves to be the original, first, and joint inventors of
the subject matter claimed in HYBRID CAMERA SYSTEM WITH
ELECTRONIC ALBUM CONTROL for which we solicit a patent, described and
claimed in our original Letters Patent No. 5,940,121 ('121 patent), issued August
17, 1999, based on U.S. Patent Application Serial No. 08/803,548, filed February
20, 1997, and for the attached specification for which invention we solicit a
reissue patent. As to the subject matter of the application, we do not know and do
not believe that this subject matter was ever known or used in the United States

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prior to our invention or discovery thereof. We have the following citizenship, residence and post office addresses:

2	FULL NAME OF INVENTOR	FAMILY NAME McIntyre	FIRST GIVEN NAME Dale	SECOND GIVEN NAME F.
0	RESIDENCE & CITIZENSHIP	CITY Rochester	STATE OR FOREIGN COUNTRY New York 14472	COUNTRY OF CITIZENSHIP USA
1	BUSINESS ADDRESS	BUSINESS ADDRESS Eastman Kodak Company	CITY 343 State Street, Rochester	STATE & ZIP CODE (COUNTRY) New York 14650 USA
2	FULL NAME OF INVENTOR	FAMILY NAME Wolcott	FIRST GIVEN NAME Dana	SECOND GIVEN NAME W.
0	RESIDENCE & CITIZENSHIP	CITY Rochester	STATE OR FOREIGN COUNTRY New York 14472	COUNTRY OF CITIZENSHIP USA
2	BUSINESS ADDRESS	BUSINESS ADDRESS Eastman Kodak Company	CITY 343 State Street	STATE & ZIP CODE (COUNTRY) New York 14650 USA

We believe that our issued '121 patent is partly inoperative by reason of our claiming more or less than we had a right to claim in the patent. The claims of the '121 patent are directed to an album creation and organization system for cameras in which images are captured on photographic film and on an electronic imager. It is believed that the album creation and organization system of the invention is applicable to other types of cameras such as digital cameras. Support for digital cameras can be found in col. 4, lines 18-22 of the '121 patent specification, which states that the "teachings of the present invention can extend to SLRs, as well as other known cameras, including digital cameras, which can also be adapted in a similar fashion".

The present reissue application overcomes the inoperativeness of the '121 patent by adding additional claims based on the original allowed claims, for example, to cover digital type cameras.

We acknowledge our duty to disclose information of which we are aware is material to the examination of this application.

The errors arose without any deceptive intention on our part.

We hereby appoint the attorney(s) and/or agent(s) associated with Eastman Kodak Company Customer No. 01333 to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith. Please address all written communications to Milton S. Sales, Eastman Kodak Company, Patent Legal Staff, Rochester, New York 14650-2201 and direct all telephone calls to David A. Novais at 716-588-2727.

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The undersigned declare further that all statements made herein of their own knowledge are true and that all statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of title 18 of the United States Code; and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

SIGNATURE OF INVENTOR 201 <i>David M. McIntyre</i>	SIGNATURE OF INVENTOR 202 <i>D. W. S. [unclear]</i>
DATE 7-31-01	DATE 7.31.01

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Issued 17 August 1999

Commissioner for Patents
Box Patent Applications
Washington, D.C. 20231

Group Art Unit:

Examiner:

Express Mail Label No. EL656967578US

Date

August 9, 2001

Sir:

CERTIFICATE UNDER 37 CFR 3.73(b)

The Eastman Kodak Company, hereinafter designated the Assignee, a corporation of the State of New Jersey, having a principal place of business at 343 State Street, Rochester, New York 14650, states that it is the assignee of the entire interest in U.S. Letters Patent No. 5,940,121, issued August 17, 1999, to the inventors Dale F. McIntyre and Dana W. Wolcott. The Assignee hereby confirms that an assignment for the subject patent was recorded on May 27, 1997, at Reel 8542/Frame 613-614 in the U.S. Patent and Trademark Office.

The undersigned has reviewed all the documents of title of the patent application identified above and to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are

Respectfully submitted,

By:

Date:

7/24/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Dale F. McIntyre et al

HYBRID CAMERA SYSTEM WITH
ELECTRONIC ALBUM CONTROL

Serial No. To Be Assigned

Filed Herewith

Group Art Unit: To Be Assigned

Examiner: Unknown

Express Mail Label No. EL656967578US

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Commissioner for Patents
Washington, D.C. 20231

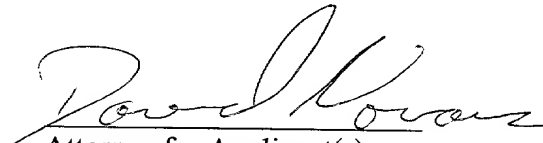
Sir:

LETTER UNDER RULE 53

Pursuant to Rule 53, the above-identified application, enclosed herewith, is being filed in the names of the inventors, Dale F. McIntyre and Dana W. Wolcott. The declaration under 37 CFR 1.175 signed by Dale F. McIntyre and Dana W. Wolcott is transmitted herewith.

Please address all correspondence to Milton S. Sales, Patent Legal Staff, Eastman Kodak Company, Rochester, New York 14650-2201. Please direct all telephone communications to David A. Novais at (716) 588-2727.

Respectfully submitted,


Attorney for Applicant(s)
Registration No. 33,324

David A. Novais/ld
Telephone: (716) 588-2727
Facsimile: (716) 477-1148

REISSUE

Docket 75036DAN
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In re Application of

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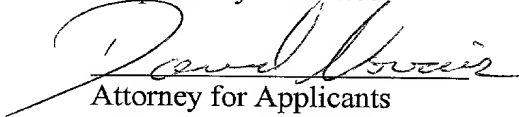
Sir:

REQUEST FOR TRANSFER OF DRAWINGS

Please transfer the drawings from Applicants' issued Patent 5,940,121 issued August 17, 1999 on U.S. Serial No. 08/803,548 filed February 20, 1997 to this patent application pursuant to 37 CFR 1.88.

The Assistant Commissioner is hereby authorized to charge any fees in connection with this communication to Eastman Kodak Company Deposit Account No. 05-0225. **A duplicate copy of this letter is enclosed.**

Respectfully submitted,


Attorney for Applicants
Registration No. 33,324

David A. Novais/lid
Telephone: (716) 88-2727
Facsimile: (716) 477-1148